

## CLAIM REJECTIONS

### REMARKS

Claims 3, 6-23 are pending. Claim 6 is amended herein. No new matter has been added as a result of the amendments.

### Elections/Restrictions

Previously presented independent Claim 3 recites a computer-readable medium having computer-executable instructions for performing steps comprising:

- receiving demographic information at a server;
- the server comparing the demographic information received to demographic values stored in one or more rules clauses stored in one or more files stored in a package of files;
- the server selecting files from the package based on the comparison; and
- the server sending the selected files to a client, wherein the selected files contain one or more rules executed by the client to determine whether the one or more rules are satisfied by client-based user data.

In a previous Office communication mailed January 5<sup>th</sup>, 2005, the Examiner has classified Claim 3 under ruled-based evaluation, classified in class 706, subclass 47. Applicant agrees with the Examiner's prior classification and asserts that Claim 3 is classifiable under class 706, subclass 47. Accordingly, applicant respectfully traverses the Examiner's classification of Claim 3 under class 709, subclass 203 and maintains Applicant's previous election. Consistent with that election, Claims 1, 2, 4-5, and 24 which correspond to non-elected claims have been canceled.

### 35 U.S.C. §103 Rejections

Claims 3, 6-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al. (US PAT 6381640), hereinafter referred to as Beck, in view of Gross et al. (US PAT 5283856), hereinafter referred to as Gross.

The Examiner is respectfully directed to currently amended independent Claim 6, which recites a rules evaluation system for a user's computer comprising:

- a rules-based agent having a plurality of rules clauses for evaluating data, wherein the rules clauses comprise one or more required rules clauses and one or more optional rules clauses;

- at least one targeted advertising trigger having functionality to notify the rules-based agent to begin evaluating;

- a plurality of data providers to provide data for evaluation; and

- at least one action for providing information to a user based upon the evaluated data, wherein an action is performed provided all of the required rules clauses and at least one of the optional rules clauses are satisfied, and wherein at least one of said at least one action comprises communicating with said user by displaying a user prompt associated with said target advertising triggers, and wherein said user prompt leads to a sale.

Claims 7-23 depend from currently amended independent Claim 6 and recite further limitations of the claimed invention. Applicant respectfully asserts that the present invention is neither shown nor suggested by the Beck reference or the Gross reference alone or in combination.

Embodiments are directed towards a rules evaluation system for a user's computer.

In particular, embodiments can evaluate data associated with the user's computer and generate a targeted advertisement that leads to a sale. In one example, an

embodiment may evaluate the user's computer and communicate with the user via a display agent to deliver a message to the user. Thus, embodiments can evaluate data on a user's computer and automatically generate a targeted advertisement.

Beck appears to be directed towards methods for personalizing and presenting workload assignments to agents within a multimedia communication-center.

Applicant asserts that Beck does not teach or suggest, either by expressly or inherently the limitations recited in currently amended independent Claim 6.

Nowhere in the Beck reference is disclosed "a rules-based agent having a plurality of rules clauses for evaluating data, wherein the rules clauses comprise one or more required rules clauses and one or more optional rules clauses; at least one targeted advertising trigger having functionality to notify the rules-based agent to begin evaluating; a plurality of data providers to provide data for evaluation; and at least one action for providing information to a user based upon the evaluated data, wherein an action is performed provided all of the required rules clauses and at least one of the optional rules clauses are satisfied, and wherein at least one of said at least one action comprises communicating with said user by displaying a user prompt associated with said target advertising triggers, and wherein said user prompt leads to a sale." Thus, Applicant respectfully reasserts the Beck reference does not teach the present claimed invention.

Further, Applicant respectfully asserts that the Gross reference does not overcome the shortcomings of the Beck reference. The Gross reference also does not teach or

suggest “a rules-based agent having a plurality of rules clauses for evaluating data, wherein the rules clauses comprise one or more required rules clauses and one or more optional rules clauses; at least one targeted advertising trigger having functionality to notify the rules-based agent to begin evaluating; a plurality of data providers to provide data for evaluation; and at least one action for providing information to a user based upon the evaluated data, wherein an action is performed provided all of the required rules clauses and at least one of the optional rules clauses are satisfied, and wherein at least one of said at least one action comprises communicating with said user by displaying a user prompt associated with said target advertising triggers, and wherein said user prompt leads to a sale.” (emphasis added). Thus, for at least this reason, Applicant respectfully reasserts the Beck reference alone or in combination with the Gross reference does not teach the present claimed invention.

Therefore, Claim 6 is in condition for allowance. Also, Claims 7–23 overcome the Examiner's prior basis for rejection under 35 U.S.C. 103(a) at least for the reason they depend on an allowable base claim.

Claim 3 recites a computer-readable medium having computer-executable instructions for performing steps comprising:

- receiving demographic information at a server;
- the server comparing the demographic information received to demographic values stored in one or more rules clauses stored in one or more files stored in a package of files;
- the server selecting files from the package based on the comparison; and

the server sending the selected files to a client, wherein the selected files contain one or more rules executed by the client to determine whether the one or more rules are satisfied by client-based user data.

Applicant asserts that Beck does not teach or suggest, either by expressly or inherently the limitations recited in previously presented independent Claim 3.

Nowhere in the Beck reference is disclosed “a computer-readable medium having computer-executable instructions for performing steps comprising: receiving demographic information at a server; the server comparing the demographic information received to demographic values stored in one or more rules clauses stored in one or more files stored in a package of files; the server selecting files from the package based on the comparison; and the server sending the selected files to a client, wherein the selected files contain one or more rules executed by the client to determine whether the one or more rules are satisfied by client-based user data.”

Thus, Applicant respectfully reasserts the Beck reference does not teach the present claimed invention.

Further, Applicant respectfully asserts that the Gross reference does not overcome the shortcomings of the Beck reference. The Gross reference also does not teach or suggest “a computer-readable medium having computer-executable instructions for performing steps comprising: receiving demographic information at a server; the server comparing the demographic information received to demographic values stored in one or more rules clauses stored in one or more files stored in a package of files; the server selecting files from the package based on the comparison; and the

server sending the selected files to a client, wherein the selected files contain one or more rules executed by the client to determine whether the one or more rules are satisfied by client-based user data.” Thus, for at least this reason, Applicant respectfully reasserts the Beck reference alone or in combination with the Gross reference does not teach the present claimed invention as recited in Claim 3.

**Conclusion**

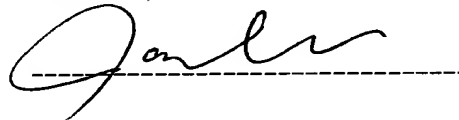
In view of the foregoing remarks, the Applicant respectfully submits that the pending claims in the instant patent application are in condition for allowance. The Applicant respectfully requests reconsideration of the Application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact James Hao at the below listed phone number.

Respectfully submitted,

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Dated: 6/30, 2006



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